

JAN 28 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#15

In re Application of:

Wesley H. VERKAART

Serial No. 10/032,559

Art Unit: 3763

Filed: January 2, 2002

Examiner: Rodriguez, Cris Loiren

For: HEATER FOR
PHYSIOLOGICAL FLUIDSLETTER TO ACCOMPANY STATEMENT OF LOSS OF ORIGINAL PATENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450VIA FACSIMILE
(703) 746-4875
Total pages: 2

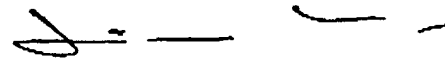
Sir:

Attached is a Statement to the Loss of Original Letters Patent No. 4,759,749 entitled "Heater for Physiological Fluids", assigned to Level 1, Inc.

Searches by the undersigned, the prior attorney who prosecuted the first reissue application and the assignee of the '749 patent failed to find the '749 original letters patent.

With the submission of the hereto attached Statement, it is believed that all requirements for the granting of the reissue patent had been satisfied. The examiner is therefore requested to issue the reissue application at an early date.

Respectfully submitted,

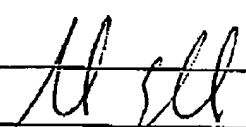


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PTO/SB/55 (05-03)
Approved for use through 01/31/2004. OMB 0851-0033
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REISSUE PATENT APPLICATION STATEMENT AS TO LOSS OF ORIGINAL PATENT		Docket Number (Optional) 70195-0032
I hereby state that: I am the applicant for a reissue patent based on the original patent identified below.		
Name of Inventor(s)/Assignee(s) <div style="text-align: center;">Level 1, Inc.</div>		
Patent Number <div style="text-align: center;">4,759,749</div>		
Title of Invention <div style="text-align: center;">Heater For Physiological Fluids</div>		
Reissue application number (if known) <div style="text-align: center;">10/032,559</div>		
The ribboned original patent grant is lost or inaccessible.		
Signature 		
Typed or printed name <div style="text-align: center;">Rick Ellis</div>		Date <div style="text-align: center;">1/26/04</div>
Title (e.g., Inventor(s), officer of assignee) <div style="text-align: center;">VP of Research and Development</div>		

This collection of information is required by 37 CFR 1.17A. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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